

☆～☆～☆～☆～☆～☆

本文書は、全学からの依頼に基づいて英文化チームで翻訳したものであり、本学の最新版・正式文書でないことがあります。このことにご注意の上、翻訳支援のツールとしてご利用ください。最新版・正式文書が必要な場合は、必ずその文書を管理している担当部局に照会して入手してください。

This document has been translated by the English Translation Team on request by University members. The documents may not be current or official University documents. Please keep this in mind and use this database as a translation support tool. If you require the most recent or the official version of a document, please inquire with the department responsible for managing the document to acquire it.

☆～☆～☆～☆～☆～☆

東海国立大学機構の育児又は介護を行う職員の超過勤務等の制限に関する規程（令和２年４月１日機構規程第３９号）

Tokai National Higher Education and Research System Rules on Restrictions on Overtime Work, Etc. by Employees who Carry Out Childcare or Family Care (THERS Rule No. 39 of April 1, 2020)

翻訳年月日：令和６年３月６日

Translation Date: March 6, 2024

東海国立大学機構の育児又は介護を行う職員の超過勤務等の制限に関する規程

Tokai National Higher Education and Research System Rules on Restrictions on Overtime Work, Etc. by Employees who Carry Out Childcare or Family Care

（令和２年４月１日機構規程第３９号）

(THERS Rule No. 39 of April 1, 2020)

（趣旨）

(Purpose)

第１条 東海国立大学機構に勤務する育児又は介護を行う職員の超過勤務又は週休日若しくは休日における勤務（以下「超過勤務等」という。）の制限に関しては、育児休業、介護休業等育児又は家族介護を行う労働者の福祉に関する法律（平成３年法律第７６号）その他関係法令及び諸規程に定めるもののほか、この規程の定めるところによる。

Article 1 Matters related to restrictions on overtime work, weekend work, and holiday work (hereinafter referred to as “Overtime Work, etc.”) by employees working at the Tokai National Higher Education and Research System who carry out childcare or family care shall be governed by these Rules, in addition to the provisions of the Act on Childcare Leave, Caregiver Leave, and Other Measures for the Welfare of Workers Caring for Children or Other Family Members (Act No. 76 of 1991) and the provisions of other relevant legislation and rules.

（育児を行う職員の超過勤務等の制限）

(Restrictions on Overtime Work, etc. by Employees who Carry Out Childcare)

第2条 機構長は、小学校就学の始期に達するまで（満6歳に達する日以後最初の3月31日までをいう。）の子（東海国立大学機構職員の育児休業等に関する規程取扱細則（令和2年度機構細則第18号）第2条に規定する子をいう。以下同じ。）を養育する職員が当該子を養育するために請求したときは、業務の遂行に著しく支障を来す場合を除き、1月について24時間、1年について150時間を超えて、超過勤務をさせてはならない。

Article 2 (1) When an employee who is raising a child (refers to a child as provided for in Article 2 of the Tokai National Higher Education and Research System Detailed Rules on the Handling of the Employee Childcare Leave Rules (THERS Detailed Rule No. 18 of 2020); hereinafter the same shall apply) younger than elementary school starting age (this means until the first March 31 after the child's sixth birthday) applied for restrictions on Overtime Work, etc. for the purposes of raising the child, the Chancellor must not have the employee carry out more than 24 hours per month or 150 hours per year of Overtime Work, etc., except in cases where the work duties would be seriously hindered by restricting the Overtime Work, etc.

2 前項の規定にかかわらず、機構長は、3歳に満たない子を養育する職員が当該子を養育するために請求したときは、業務の遂行に著しく支障を来す場合を除き、超過勤務等をさせてはならない。

(2) Notwithstanding the provisions of the previous paragraph, when an employee who is raising a child younger than three years of age applies for restrictions on Overtime Work, etc. for the purposes of raising the child, the Chancellor must not have the employee carry out any Overtime Work, etc., except in cases where the work duties would be seriously hindered by restricting the Overtime Work, etc.

（育児を行う職員の超過勤務等の制限の請求等）

(Applications for Restrictions on Overtime Work, Etc. by Employees who Carry Out Childcare)

第3条 超過勤務等の制限を請求しようとする職員は、超過勤務等の制限を請求する一の期間（1月以上1年以内の期間に限る。以下「制限期間」という。）の初日（以下「制限開始予定日」という。）及び末日（以下「制限終了予定日」という。）を明らかにして、前条第1項の規定により請求する場合は制限開始予定日の前日までに、同条第2項の規定により請求する場合は制限開始予定日の1月前までに機構長に請求しなければならない。

Article 3 (1) An employee who wishes to apply for restrictions on Overtime Work, etc. must submit an application to the Chancellor by the day before the Planned Starting Date for restrictions if the application is made under the provisions of Paragraph (1) of the preceding article, or at least one month before the Planned Starting Date for restrictions if the application is made under the provisions of Paragraph (2) of the preceding article, clearly stating the starting date (hereinafter referred to as the “Planned Starting Date for Restrictions”) and the end date (hereinafter referred to as the “Planned End Date for Restrictions”) of a single period during which the employee applies for restrictions on Overtime Work, etc. (limited to the period

of at least one month and no longer than one year in duration; hereinafter referred to as the “Restriction Period”).

この場合において、それぞれの規定に基づく制限期間については、互いに重複しないようにしなければならない。

In this case, any Restriction Periods applied for under each provision must not overlap.

2 前条第1項の規定による請求が当該請求があった日の翌日から起算して1週間を経過する日（以下「1週間経過日」という。）より前の日を制限開始予定日とする場合には、機構長は、当該制限開始予定日から1週間経過日までのいずれかの日を制限開始予定日として指定することができる。

(2) In an application made under the provisions of Paragraph (1) of the preceding article, if a Planned Starting Date for Restrictions is before the day one week has passed from the day after the application (hereinafter referred to as “Day after One Week”), the Chancellor may designate any date between the Planned Starting Date for Restrictions in the application and the Day after One Week as the Planned Starting Date for Restrictions.

3 機構長は、第1項の規定による請求があった場合には、超過勤務等の制限を請求した職員に対し、制限開始予定日（前項の規定により制限開始予定日を指定する場合にあっては、変更前の制限開始予定日）の前日までにその取扱いに係る通知書を交付しなければならない。

(3) When an application is made under the provisions of Paragraph (1), the Chancellor must provide to the employee applying for the restriction a notice detailing how the application is to be handled by the day before the Planned Starting Date for Restrictions (if the Planned Starting Date for Restrictions is newly designated under the provisions of the preceding paragraph, the Planned Starting Date for Restrictions before it was changed).

4 第1項の請求があった後制限開始予定日の前日までに、当該請求に係る子が死亡した場合又はこれに準ずる事由が生じた場合は、当該請求はされなかったものとみなす。

(4) If the child in relation to an application dies or other equivalent circumstances arise by the day before the Planned Starting Date for Restrictions after the application was made under the provisions of Paragraph (1), that application shall be deemed to have not been made.

5 前項に該当することとなった職員は、遅滞なく、事情を機構長に届け出なければならない。

(5) An employee to whom the provisions of the preceding paragraph has become applicable must submit a notification of the circumstance to the Chancellor immediately.

（育児を行う職員の超過勤務等の制限の終了）

(End of Restrictions on Overtime Work, etc. by Employees who Carry Out Childcare)

第4条 超過勤務等の制限の開始日以後制限終了予定日の前日までに、次の各号に掲げるいずれかの事由が生じた場合には、制限期間はその事由が生じた日（第3号に掲げる事由が生じた場合にあっては、その前日）をもって終了する。

Article 4 (1) If any of the following circumstances arise between the starting date for restrictions on Overtime Work, etc. and the Planned End Date for Restrictions, the Restriction Period shall end as of the day that circumstance arises (If the circumstances described in Item (iii) arise, it shall be the day before the circumstances arose):

一 請求に係る子が死亡した場合又はこれに準ずる事由が生じた場合

(i) The child in relation to the application made dies, or other circumstances equivalent to this arise;

二 制限終了予定日とされた日の前日までに請求に係る子が、第2条第1項の規定による請求では小学校就学の始期に達した場合、又は同条第2項の規定による請求では3歳に達した場合

(ii) The child in relation to the application made under the provisions of Article 2, Paragraph (1) reaches elementary school starting age; or the child in relation to the application made under the provisions of Article 2, Paragraph (2) reaches three years of age; or

三 制限終了予定日までに職員が産前産後休暇、育児休業又は介護休業を取得した場合

(iii) The employee acquires maternity leave, childcare leave, or family care leave prior to the Planned End Date for Restrictions.

2 前項第1号に該当することとなった職員は、遅滞なく、事情を機構長に届け出なければならない。

(2) An employee to whom the provisions of Item (i) of the preceding paragraph has become applicable must submit a notification of the circumstances to the Chancellor immediately.

(介護を行う職員の超過勤務の制限)

(Restrictions on Overtime Work, etc. by Employees who Carry Out Family Care)

第5条 機構長は、要介護状態（東海国立大学機構職員の介護休業等に関する規程（令和2年度機構規程第37号）第2条に規定する2週間以上にわたり常時介護を必要とする状態をいう。以下同じ。）にある対象家族（同条に規定する対象家族をいう。以下同じ。）を介護する職員が当該対象家族を介護するために超過勤務時間の制限を請求したときは、業務の遂行に著しく支障を来す場合を除き、1月について24時間、1年について150時間を超えて、超過勤務をさせてはならない。

Article 5 (1) When an employee who is caring for a family member in need of care (this means a situation in which constant care is required for two weeks or more, as provided for in Article 2 of the Tokai National Higher Education and Research System Employee Family Care Leave Rules (THERS Rule No. 37 of 2020); hereinafter the same shall apply) (this family member refers to an eligible family member as provided for in the aforementioned article; hereinafter the same shall apply) applies for restrictions on overtime hours for the purpose of providing care to the eligible family member, the Chancellor must not have the employee carry out more than 24 hours per month or 150 hours per year of Overtime Work, etc. except in cases where the work duties would be seriously hindered by restricting Overtime Work, etc.

2 機構長は、職員が要介護状態にある対象家族を介護するために超過勤務の免除を請求したときは、業務の遂行に著しく支障を来す場合を除き、超過勤務等をさせてはならない。

(2) When an employee applies for exemption of Overtime Work, etc. in order to care for the eligible family member in need of care, the Chancellor must not have the employee carry out Overtime Work, etc., except in cases where the work duties would be seriously hindered by exempting Overtime Work, etc.

(介護を行う職員の超過勤務の制限の請求等)

(Application for Restrictions on Overtime Work by Employees who Carry Out Family Care)

第6条 超過勤務の制限を請求しようとする職員は、制限期間の制限開始予定日及び制限終了予定日を明らかにして、制限開始予定日の前日までに機構長に請求しなければならない。

Article 6 (1) An employee who wishes to apply for restrictions on Overtime Work, etc. must submit an application to the Chancellor by the day before the Planned Starting Date for Restrictions, clearly stating the Planned Starting Date for Restrictions and the Planned End Date for Restrictions.

2 前項の請求が、当該請求があった日の翌日から起算して1週間を経過する日（以下「1週間経過日」という。）より前の日を制限開始予定日とする請求であった場合には、機構長は、当該制限開始予定日から1週間経過日までのいずれかの日を制限開始予定日として指定することができる。

(2) In an application made under the provisions of the preceding paragraph, if a Planned Starting Date for Restrictions is before the day one week has passed from the day after the application (hereinafter referred to as “Day after One Week”), the Chancellor may designate any date between the Planned Starting Date for Restrictions in the application and the Day after One Week as the Planned Starting Date for Restrictions.

3 機構長は、第1項の規定による請求があった場合には、超過勤務の制限を請求した職員に対し、制限開始予定日（前項の規定により制限開始予定日を指定する場合にあっては、変更前の制限開始予定日）の前日までにその取扱いに係る通知書を交付しなければならない。

(3) When an application is made under the provisions of Paragraph (1), the Chancellor must provide a notice detailing how the application is to be handled to the employee applying for the restriction on Overtime Work, etc. by the day before the Planned Starting Date for Restrictions (if the Planned Starting Date for Restrictions is newly designated under the preceding paragraph, the Planned Starting Date for Restrictions before it was changed).

4 第1項の請求があった後制限開始予定日の前日までに、当該請求に係る対象家族が死亡した場合又はこれに準ずる事由が生じた場合には、当該請求はされなかったものとみなす。

(4) If the eligible family member in relation to the application dies or other equivalent circumstances arise by the day before the Planned Starting Date for Restrictions after the application was made under Paragraph (1), that application shall be deemed to have not been made.

5 前項に該当することとなった職員は、遅滞なく、事情を機構長に届け出なければならない。

(5) An employee to whom the provisions of the preceding paragraph has become applicable must submit a notification of the circumstances to the Chancellor immediately.

(介護を行う職員の超過勤務の制限の終了)

(End of Restrictions on Overtime Work for Employees who Carry Out Family Care)

第7条 超過勤務の制限の開始日以後制限終了予定日までに、次の各号に掲げるいずれかの事由が生じた場合には、制限期間はその事由が生じた日（第2号に掲げる事由が生じた場合にあつては、その前日）をもって終了する。

Article 7 (1) If any of the following circumstances arise between the starting date for restrictions on Overtime Work, etc. and the Planned End Date for Restrictions, the Restriction Period shall end as of the day that circumstance arises (if the circumstances described in Item (ii) arise, it shall be the day before that circumstances arose):

一 請求に係る対象家族が死亡した場合又はこれに準ずる事由が生じた場合

(i) The eligible family member in relation to the application made dies, or other circumstances equivalent to this arise; or

二 制限終了予定日までに職員が産前産後休暇、育児休業又は介護休業を取得した場合

(ii) The employee acquires maternity leave, childcare leave, or family care leave prior to the Planned End Date for Restrictions.

2 前項第1号に該当することとなった職員は、遅滞なく、事情を機構長に届け出なければならない。

(2) An employee to whom the provisions of Item (i) of the preceding paragraph has become applicable must submit a notification of the circumstance to the Chancellor immediately.

(雑則)

(Miscellaneous Provision)

第8条 この規程に定めるもののほか、育児又は介護を行う職員の超過勤務等の制限に関し必要な事項は、機構長が定める。

Article 8 In addition to the provisions of these Rules, other necessary matters for restrictions on Overtime Work, etc. for employees who carry out childcare or family care shall be determined by the Chancellor.

附 則

Supplementary Provisions

1 この規程は、令和2年4月1日から施行する。

(1) These Rules shall come into effect as of April 1, 2020.

2 この規程の施行の際現に国立大学法人岐阜大学職員の育児・介護休業等に関する規程（平成19年度規程第16号）又は名古屋大学の育児又は介護を行う職員の超過勤務等の制限に関

する規程（平成16年度規程第60号）に基づき時間外勤務の制限を受けている職員については、この規程により時間外勤務の制限を受けている職員とみなす。

(2) Upon these Rules coming into effect, employees who have been granted restrictions on Overtime Work, etc. under the National University Corporation Gifu University Employee Childcare and Family Care Rules (Rule No. 16 of 2007) or the Nagoya University Regulations on Restrictions for Overtime Work by Employees who Carry Out Childcare or Family Care (Rule No. 60 of 2004) shall be deemed to have been granted restrictions on Overtime Work, etc. under these Rules.